

AGENDA

CHARLOTTE COUNTY CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

Administration Center, County Commission Meeting Room #119
18500 Murdock Circle, Port Charlotte, Florida 33948-1094

HEARING MINUTES OF AUGUST 6, 2020

1. CALL TO ORDER
SPECIAL MAGISTRATE DEREK ROONEY CALLED THE HEARING TO ORDER AT 9:00 A.M.
2. SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY
SUZAN GOWANS ADMINISTERED THE OATH

3. NEXT MEETING DATE
September 2, 2020

4. AGENDA CHANGES
Move COD-19-03297 to end of hearing per request of homeowner.

UNDER AGENDA ITEM VII – CONSENT AFFIDAVITS

- Number 4 – DOH-16-00025 - Continued

5. UNFINISHED BUSINESS
NONE

6. OLD BUSINESS

COD-18-01739, James White & Dorothy White, 4716 Almar Dr., Punta Gorda – Fifth
Affidavit of Non-Compliance - \$4,520.00

TJ

7. CONFLICT CASES

Special Magistrate, PRO TEM, Michael Wilson

COD-19-03412, US BANK TRUST, 408 Fletcher St, Port Charlotte [Section 3-9-5(b)] JC

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$100 for each day the violation continues to exist.

COD-19-03394, JDI FARMS INC, 2150 SR 31, Punta Gorda -Affidavit of Non-Compliance -
\$120.00

AD

VIII. CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES

All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If discussion is desired by the Magistrate that item(s) will be removed from the Consent Agenda and considered separately.

1. **DOH--15-00073**, Peter Bashucky, 4263 Albacore Circle, Port Charlotte –Second Affidavit of Non-Compliance - \$4,520.00 GR
2. **DOH-15-00517**, Betty Mau Revocable Trust, 18167 Cochran Blvd, Port Charlotte – Seventh Affidavit of Non-Compliance - \$70.00 GR
3. **DOH-16-00025**, Gregory Satterfield & Robert Burse & Kristin Burse, 2252 Broad Ranch Dr, Port Charlotte –Fifth Affidavit of Non-Compliance - \$4,520.00 GR
GREG SATTERFIELD PRESENT
SPECIAL MAGISTRATE CONTINUED CASE UNTIL SEPTEMBER 2, 2020
4. **DOH-16-00118**, Laura Trott-Cook, 3011 Tamarind St, Port Charlotte –Seventh Affidavit of Non-Compliance - \$70.00 GR
5. **DOH-16-00185**, Blake Zinn, 3245 Jessica Ter, Port Charlotte –Seventh Affidavit of Non-Compliance - \$70.00 GR
6. **COD-19-02777**, Giuseppe Mannino, 2294 Highlands Rd, Punta Gorda – Amended Affidavit of Non-Compliance - \$210.00 GR
7. **COD-14-01221**, Lisa Copper Gianfrancisco, 7075 Treadway Rd, Port Charlotte –Ninth Affidavit of Non-Compliance - \$70.00 JC
8. **COD-16-00979**, Robert Gregory, 9038 Calumet Blvd, Port Charlotte –Seventh Affidavit of Non-Compliance - \$70.00 JC
9. **COD-17-03731**, Robert Gregory, 9038 Calumet Blvd, Port Charlotte –Seventh Affidavit of Non-Compliance - \$70.00 JC
10. **COD-18-03857**, Cecilia Torre & Giacomo Torre, 14339 Pennykamp Ave, Port Charlotte –Second Affidavit of Non-Compliance - \$4,520.00 JC
11. **COD-19-00105**, Donald Kelley & Donna Kelley, 398 Border St, Port Charlotte –Second Affidavit of Non-Compliance - \$120.00 JC
12. **COD-19-01991**, Angela O'Donnell aka Tracy Ebelink, 18401 Daysland Ave, Port Charlotte –Second Affidavit of Non-Compliance - \$4,520.00 JC
13. **COD-19-03089**, Edward Foley & Deborah Foley, 21255 Dearborn Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 **CHADWICK FOLEY PRESENT** JC
14. **COD-16-00354**, Gerry Wendt & Lorraine Rector, 4545 Melbourne St, Port Charlotte – Eighth Affidavit of Non-Compliance - \$70.00 PD
15. **COD-18-03740**, James Remich & Gary Remich, 135 Duxbury Ave, Port Charlotte –Fifth Affidavit of Non-Compliance - \$4,520.00 PD
16. **COD-18-03914**, Cynthia Mitchell & Christopher Marquis, 3372 Elkcam Blvd, Port Charlotte –Fourth Affidavit of Non-Compliance - \$70.00 PD
17. **COD-19-01989**, Charles Fagundes III, 157 Barre Drive, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 PD

18. **COD-18-00155**, ALL FAMILY PROPERTIES, LLC, 3325 Normandy Dr, Port Charlotte – Fourth Affidavit of Non-Compliance - \$270.00 **GENNADI ELOI PRESENT** RL
19. **COD-18-01918**, Tana Meyers, 22232 Beverly Ave, Port Charlotte –Third Affidavit of Non-Compliance - \$9,020.00 **TANYA WILSON PRESENT** RL
20. **COD-18-02662**, ESTATE OF THOMAS O'CONNELL, JR, 22127 Gatewood Ave, Port Charlotte – Fifth Affidavit of Non-Compliance - \$9,020.00 RL
21. **COD-18-03432**, Christine Marfut, 21219 Glendale Ave, Port Charlotte –Fifth Affidavit of Non-Compliance - \$22,520.00 RL
22. **COD-19-00007**, CAPITAL PROPERTIES FLORIDA, LLC, 21404 Meehan Ave, Port Charlotte –Third Affidavit of Non-Compliance - \$120.00 RL
23. **COD-19-00282**, Adam Tener, 21370 Percy Ave, Port Charlotte –Third Affidavit of Non-Compliance - \$70.00 RL
24. **COD-19-01281**, Richard Callahan, 2360 Ednor St, Port Charlotte – Affidavit of Non-Compliance - \$270.00 RL
25. **COD-19-02220**, PRO TAX FINACIAL, LLC, 3141 Crestwood Dr, Port Charlotte – Second Affidavit of Non-Compliance - \$210.00 RL
26. **COD-19-02645** Oliver Mueller, 22018 Hernando Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 **OLIVER MUELLER PRESENT** RL
27. **COD-19-03105**, ELKAM, LLC, 21148 McGuire Ave, Port Charlotte – Affidavit of Non-Compliance - \$120.00 RL
28. **COD-19-03124**, MARIO LUGO, 2162 Lakeshore Circle, Port Charlotte – Affidavit of Non-Compliance - \$120.00 RL
29. **COD-19-03231**, Carolyn Zuich, 21395 Meehan Ave, Port Charlotte –Affidavit of Non-Compliance - \$70.00 RL
30. **COD-19-03272**, Robert Kopin, 20543 Albury Dr, Port Charlotte –Affidavit of Non-Compliance - \$270.00 RL
31. **COD-19-03297**, Dion Murphy, 3332 Normandy Dr, Port Charlott -Affidavit of Non-Compliance - \$170.00 **DION MURPHY PRESENT** RL
SPECIAL MAGISTRATE REDUCED LIEN TO 85.00
32. **COD-19-03302**, Melissa Tomec-Pillinger, 22226 Catherine Ave, Port Charlotte – Affidavit of Non-Compliance - \$ 170.00 RL
33. **COD-14-03475**, CERBERUS SFR HOLDINGS, L.P, 2300 Linton Lane, Port Charlotte – Second Affidavit of Non-Compliance - \$120.00 RL
34. **COD-19-03549**, MBO ENTERPRISES, LLC, 21322 or 21326 Coulton Ave, Port Charlotte – Affidavit of Non-Compliance - \$120.00 RL
MOUSSIA HARA PRESENT

35. **COD-20-00614**, Stanley Kowalski & Diane Paluszek, 21939 Catherine Ave, Port Charlotte – Affidavit of Non-Compliance - \$ 280.00 RL
36. **COD-18-03551**, Virgil Thomas, 28128 Senator Dr or 12493 Mizell Ave, Punta Gorda – Fourth Affidavit of Non-Compliance - \$70.00 RM
37. **COD-19-03072**, Felix Lexima, 241 Sunset Blvd E, Punta Gorda –Third Affidavit of Non-Compliance - \$120.00 RM
38. **COD-16-01610**, Carl Carino & Calvin Blount Estate, 12093 Tribune Blvd, Punta Gorda, Port Charlotte –Seventh Affidavit of Non-Compliance - \$70.00 TJ
39. **COD-16-03588**, Stephen Kennedy & Deborah Kennedy, 1321 Yorkshire St, Port Charlotte –Second Affidavit of Non-Compliance - \$70.00 TJ
STEPHEN KENNEDY PRESENT
40. **COD-17-00418**, BERNARD VONKARSTEDT ESTATE, 7457 Strasse Blvd, Punta Gorda –Seventh Affidavit of Non-Compliance - \$120.00 TJ
41. **COD-17-02973**, Edwin Pickrell, 6120 Taylor Rd, Punta Gorda –Sixth Affidavit of Non-Compliance - \$210.00 TJ
42. **COD-17-03319**, Donald Brown & Debra Picard, 2337 Harbour Dr, Punta Gorda – Affidavit of Non-Compliance - \$214.65 TJ
43. **COD-18-01993**, Shane Leone, 6150 Golf Course Blvd, Punta Gorda –Sixth Affidavit of Non-Compliance - \$70.00 TJ
44. **COD-18-02437**, James Lilley, 233 Sunset Blvd E, Punta Gorda –Fifth Affidavit of Non-Compliance - \$4,520.00 TJ
45. **COD-19-00707**, David Brown, 1527 Hickory Ave, Punta Gorda –Fifth Affidavit of Non-Compliance - \$70.00 TJ
46. **COD-19-01044**, Trevor Hall & Susan Hall, 4722 S Fairway Dr, Punta Gorda –Fifth Affidavit of Non-Compliance - \$9,020.00 TJ
47. **COD-19-01833**, Dennis Cravens & Gwenith Cravens, 13289 Menderes Dr, Punta Gorda –Second Affidavit of Non-Compliance - \$4,520.00 TJ
48. **COD-19-03010**, Joshua Blanchard Trustee, 4228 Worchester Dr, Punta Gorda –Second Affidavit of Non-Compliance - \$9,231.77 TJ
49. **COD-19-03129**, James Lilley, 233 Sunset Blvd E, Punta Gorda –Affidavit of Non-Compliance - \$70.00 TJ
50. **COD-19-03504**, Shane Leone, 6150 Golf Course Blvd, Punta Gorda –Second Affidavit of Non-Compliance - \$4,520.00 TJ
51. **COD-19-03669**, Beverly Beckman, 11176 Grapefruit Lane, Punta Gorda -Affidavit of Non-Compliance - \$70.00 TJ

52. **COD-19-03830**, Orville Wahl, 12031 Green Gulf, Punta Gorda – Affidavit of Non-Compliance - \$70.00 TJ
53. **COD-20-00119**, Bucky Ketter JR, 1519 Persay Dr, Port Charlotte –Affidavit of Non-Compliance - \$70.00 TJ
54. **COD-17-02922**, Sandra Mashburn, 521 Pompano Terrace, Punta Gorda – Sixth Affidavit of Non-Compliance - \$70.00 GG

MAGISTRATE DEREK ROONEY APPROVED THE REMAINING AFFIDAVITS OF NON-COMPLIANCE AT 10:05 AM.

IX. NEW BUSINESS

- A. **COD-19-03809**, James Spry & Audrey Spry Trustees, 2960 Tenth St, Englewood [Section 3-9-5(b); & FBC Section 105.1] JD

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- B. **COD-20-00864**, Matthew Harden, 8084 Burwell Circle, Port Charlotte [Section 2-5-72; & FBC Sections 105.4 & 110.3; & IPMC Sections 301.2, 302.7 & 303.1] JC

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for any repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- C. **COD-20-00602**, James Lynch JR a/k/a James Lynch, 1383 Miliken Terrace, Port Charlotte [Sections 3-5-91, 3-9-100.3(d)(4) & 3-6-24] GW

SPECIAL MAGISTRATE DISMISSED CODE 3-6-21

ORDER The County recommends Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- D. **COD-17-02568**, Michael Wall & Cordelia Reid, 8529 Gewant Blvd, Punta Gorda [Sections 3-9-5(b), 3-9-30(e) & 3-9-76; & FBC Section 105.1] TJ

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for any repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- E. **COD-20-00725**, Christina Shepard, 23043 Glen Ave, Port Charlotte [Section 3-9-33(e) & 3-9-76] PD

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- F. **COD-20-01456**, Marie Hernandez & Liorge Hernandez Cueto, 2458 Lake View Blvd, Port Charlotte [Sections 3-9-33(e) & 3-9-71] PD

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- G. **COD-20-00306**, Samuel Schmutzler & Toni Schmutzler, 23255 Fullerton Ave, Port Charlotte [Sections 2-5-72, 3-2-115, 3-9-33(e) & 3-9-76; & FBC Sections 105.4 & 110.3; & IPMC Sections 304.1 & 304.2] GR

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for any repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- H. **COD-20-00883**, Angelo Auriemma, Salvatore Auriemma & Julia Auriemma, 23245 Billings Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-76; & FBC Sections 424.2.17, 424.2.17.1, 424.17.1.1 & 424.2.17.1.2; & IPMC Sections 302.7, 303.2 & 304.1] GR

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- I. **DOH-15-00057**, Hope Bailey, 220 Grenada St NW, Port Charlotte [Sections 3-8-256(g)(1), (g)(2) & (g)(3)] GR

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- J. **COD-20-00093**, Carlos Marrero & Jennifer Marrero, 2039 Carpetgreen St, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-5(b); & FBC Section 105.1] SR

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- K. **COD-20-00213**, Larry Boldt & Norma Boldt, 18663 Kerrville Circle, Port Charlotte [Sections 3-9-33(e) & 3-9-76; & IPMC Sections 301.2, 302.7, 304.1 & 304.15] SR

NORMA BOLDT PRESENT

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 60 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- L. **COD-20-00296**, Kevin Lindstrom Revocable Living Trust, 31910 Washington Loop Rd, Punta Gorda [Sections 3-9-30(e), 3-9-5(b), 3-9-76, 3-9-77 & 3-9-79.1; & FBC Section 105.1] RM

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for any repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- M. **COD-20-00310**, Patrick Renusch, 2343 Easy St, Port Charlotte [Sections 3-9-33(e) & 3-9-76] **SUSAN GREEN PRESENT** RL

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 45 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- N. **COD-20-00839**, Alfonso Lloyd & Avril Lloyd, 21929 Felton Ave, Port Charlotte [Section 2-5-72] RL

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 5-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- O. **COD-20-01106**, Anne Jimerson, 21553 Gibraltar, Port Charlotte [Sections 3-9-5(b), 3-9-33(e) & 3-9-76; & FBC Section 105.1] **ROBERT JIMERSON PRESENT** RL

ORDER The County recommends the Respondent be found in violation of the cited code sections and given 60 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- P. **COD-20-01329**, MAGNIFY REAL ESTATE BORROWER SPV I, LLC, 3196 Normandy Dr, Port Charlotte [Sections 2-5-72, 3-9-33(e) & 3-9-76] RL
REPRESENTATIVE NICHOLE WILLIAMS PRESENT

The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$100 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

XII ADJOURNMENT

SPECIAL MAGISTRATE DEREK ROONEY ADJOURNED THE HEARING AT 10:55 AM

MINUTES APPROVAL CERTIFICATION

I, Suzan Gowans, Administrative Assistant for Charlotte County, hereby approve and certify these minutes to be a true and accurate account of the Code Enforcement Special Magistrate Hearing held on August 6th, 2020.

Suzan Gowans
Suzan Gowans

08/07/2020
Date Approved